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PTO/SB/21 (08-00)  
Approved for use through 10/31/2002. OMB 051-0031  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	Application	09/673,133	
	Filing Date	APRIL 12, 1999	
	First Named	LISA E. MYERS	
	Group Art Unit		
	Examiner Name		
Total Number of Pages in This Submission	11	Attorney Docket Number	1038-1102 MIS

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input checked="" type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

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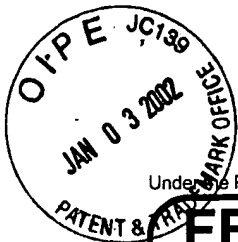
JAN 07 2002

OFFICE OF PETITIONS

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	MICHAEL I. STEWART REGISTRATION NO. 24,973
Signature	
Date	JANUARY 2, 2002

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on this date: <input type="text"/>			
Typed or printed name			
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PTO/SB/17 (XX-XX)  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE  
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# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

Complete if Known

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Application Number 09/673,133

Filing Date APRIL 12, 1999

First Named Inventor LISA E. MYERS

Examiner Name

Group Art Unit

Attorney Docket No. 1038-1102 MIS

TOTAL AMOUNT OF PAYMENT

\$400.00

OFFICE OF PETITIONS

## METHOD OF PAYMENT

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number

Deposit Account Name

☐ Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17

☐ Applicant claims small entity status. See 37 CFR § 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Small Entity

Fee Fee Fee Fee Fee Description  
Code (\$) Code (\$) Code (\$) Code (\$) Code (\$)

101 740 201 370 Utility filing fee

106 330 206 165 Design filing fee

107 510 207 255 Plant filing fee

108 740 208 370 Reissue filing fee

114 160 214 80 Provisional filing fee

Fee Paid

SUBTOTAL (1)

### 2. EXTRA CLAIM FEES

Extra Claims Fee from below Fee Paid  
Total Claims  -20\*\* =  0 X  =  0.00  
Independent Claims  -3\*\* =  0 X  =  0.00  
Multiple Dependent  =

Large Entity Small Entity

Fee Fee Fee Fee Fee Description  
Code (\$) Code (\$) Code (\$) Code (\$) Code (\$)

103 18 203 9 Claims in excess of 20

102 84 202 42 Independent claims in excess of 3

104 280 204 140 Multiple dependent claim, if not paid

109 84 209 42 \*\* Reissue independent claims over original patent

110 18 210 9 \*\* Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

\$0.00

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Small Entity

Fee Fee Fee Fee Fee Description  
Code (\$) Code (\$) Code (\$) Code (\$) Code (\$)

105 130 205 65 Surcharge - late filing fee or oath

127 50 227 25 Surcharge - late provisional filing fee or cover sheet

139 130 139 130 Non - English specification

147 2,520 147 2,520 For filing a request for *ex parte* reexamination

112 920\* 112 920\* Requesting publication of SIR prior to Examiner action

113 1,840\* 113 1,840\* Requesting publication of SIR after Examiner action

115 110 215 55 Extension for reply within first month

116 400 216 200 Extension for reply within second month

117 920 217 460 Extension for reply within third month

118 1,440 218 720 Extension for reply within fourth month

128 1,960 228 980 Extension for reply within fifth month

119 320 219 160 Notice of Appeal

120 320 220 160 Filing a brief in support of an appeal

121 280 221 140 Request for oral hearing

138 1,510 138 1,510 Petition to institute a public use proceeding

140 110 240 55 Petition to revive - unavoidable

141 1,280 241 640 Petition to revive - unintentional

142 1,280 242 640 Utility issue fee (or reissue)

143 460 243 230 Design issue fee

144 620 244 310 Plant issue fee

122 130 122 130 Petitions to the Commissioner

123 50 123 50 Processing fee under 37 CFR § 1.17(q)

126 180 126 180 Submission of Information Disclosure Statement

581 40 581 40 Recording each patent assignment per property (times number of properties)

146 740 246 370 Filing a submission after final rejection (37 CFR § 1.129(a))

149 740 249 370 For each additional invention to be examined (37 CFR § 1.129(b))

179 740 279 370 Request for Continued Examination (RCE)

169 900 169 900 Request for expedited examination of a design application

Other fee (specify)

01 FC115 01/04/2002 SLURMS1 00000008 09573133

01 FC115

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

\$400.00

## SUBMITTED BY

Name (Print/Type)

MICHAEL I. STEWART

Registration No.  
(Attorney/Agent)

24,973

Complete (if applicable)

Telephone

(416) 595-1155

Signature

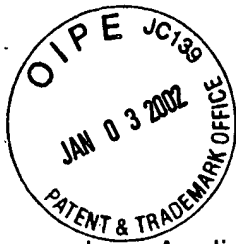
*Michael I. Stewart*

Date

JANUARY 2, 2002

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#8

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Our Ref: 1038-1102 MIS:sd

In re Application

No.: 09/673,133  
Filing Date: April 12, 1999  
Applicant: Lisa E. Myers  
Title: TRANSFERRIN RECEPTOR GENES OF MORAXELLA

January 2, 2002

The Commissioner of Patents  
and Trademarks,  
Washington, D.C. 20231,  
U. S. A.

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RENEWED PETITION UNDER 37 CRF 1.47(a)

OFFICE OF PETITIONS

Dear Sirs:

This Renewed Petition is submitted pursuant to the Decision on Petition dated September 7, 2001. Petition is hereby made under the provisions of 37 C.F.R. 1.136(a) for an extension of two months of the period for submission of this Renewed Petition. Our cheque includes the prescribed fee.

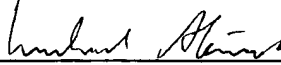
Applicant submitted a Petition pursuant to 37 C.F.R. 1.47(a) dated April 30, 2001 having regard to the apparent refusal of inventor, Run-Pan Du to sign a Declaration and Power of Attorney. This Petition was dismissed in the Decision of September 7, 2001.

The Petition was dismissed on the basis that the Petition had not demonstrated a *bone fide* attempt to present a copy of the appropriate papers for the application to the non-signing inventor and Mr. Du's refusal, either in writing or by telephone, of these documents. In addition, the Declarations were considered unacceptable as a result of lines being drawn through certain boxes.

Following receipt of the Decision, the undersigned requested that a new Declaration be executed by the inventors and that the papers once again be sent to Mr. Du for signing. This new set of papers was signed by Mr. Du and returned.

Enclosed herewith is a Declaration and Power of Attorney signed by all inventors mentioned without any lining through to satisfy the requirement for such a document and rendering moot the necessity for a Petition under 37 C.F.R. 1.47(a). Having regard to the enclosed Declaration and Power of Attorney, applicants Petition hereby is withdrawn and it is requested that the file be forwarded for processing.

Respectfully submitted,



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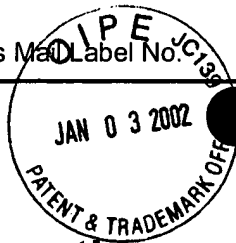
Michael I. Stewart  
Reg. No. 24,973

Toronto, Ontario, Canada  
(416) 595-1155  
FAX No. (416) 595-1163

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JAN 07 2002

**OFFICE OF PETITIONS**


Docket No. **#9**  
1038-1102 MIS:sd

# Declaration and Power of Attorney For Patent Application

## English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

**TRANSFERRIN RECEPTOR GENES OF MORAXELLA**

**RECEIVED**

the specification of which

**JAN 07 2002**

(check one)

**OFFICE OF PETITIONS**

☐ is attached hereto.

☒ was filed on April 12, 1999 as United States Application No. or PCT International

Application Number PCT/CA99/00307

and was amended on \_\_\_\_\_

(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Not Claimed

(Number)

(Country)

(Day/Month/Year Filed)

☐

(Number)

(Country)

(Day/Month/Year Filed)

☐

(Number)

(Country)

(Day/Month/Year Filed)

☐

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

\_\_\_\_\_  
(Application Serial No.)

\_\_\_\_\_  
(Filing Date)

\_\_\_\_\_  
(Application Serial No.)

\_\_\_\_\_  
(Filing Date)

\_\_\_\_\_  
(Application Serial No.)

\_\_\_\_\_  
(Filing Date)

I hereby claim the benefit under 35 U. S. C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C. F. R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

09/673,133

April 12, 1999

\_\_\_\_\_  
(Application Serial No.)

\_\_\_\_\_  
(Filing Date)

\_\_\_\_\_  
(Status)  
(patented, pending, abandoned)

\_\_\_\_\_  
(Application Serial No.)

\_\_\_\_\_  
(Filing Date)

\_\_\_\_\_  
(Status)  
(patented, pending, abandoned)

\_\_\_\_\_  
(Application Serial No.)

\_\_\_\_\_  
(Filing Date)

\_\_\_\_\_  
(Status)  
(patented, pending, abandoned)

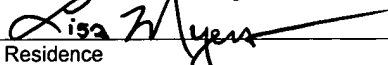
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. *(list name and registration number)*

**Michael I. Stewart (Reg. No. 24,973)**

Send Correspondence to: **Sim & McBurney**  
**6th Floor, 330 University Avenue**  
**Toronto, Ontario**  
**Canada, M5G 1R7**

Direct Telephone Calls to: *(name and telephone number)*  
**(416) 595-1155**

Full name of sole or first inventor <b>Lisa E. Myers</b>	
Sole or first inventor's signature 	Date <b>Oct. 4, 2001</b>
Residence <b>Rockwood, Ontario, Canada</b>	
Citizenship <b>Canadian</b>	
Post Office Address <b>193 Jackson Street, Rockwood, Ontario, Canada, N0B 2K0</b>	

Full name of second inventor, if any <b>Anthony B. Schryvers</b>	
Second inventor's signature	Date
Residence <b>Calgary, Alberta, Canada</b>	
Citizenship <b>Canadian</b>	
Post Office Address <b>39 Edforth Road N.W., Calgary, Alberta, Canada, T3A 3V8</b>	


**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. *(list name and registration number)*

**Michael I. Stewart (Reg. No. 24,973)**

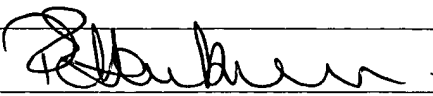
Send Correspondence to: **Sim & McBurney**  
**6th Floor, 330 University Avenue**  
**Toronto, Ontario**  
**Canada, M5G 1R7**

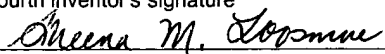
Direct Telephone Calls to: *(name and telephone number)*  
**(416) 595-1155**

Full name of sole or first inventor <b>Lisa E. Myers</b>	Date
Sole or first inventor's signature	
Residence <b>Rockwood, Ontario, Canada</b>	
Citizenship <b>Canadian</b>	
Post Office Address <b>193 Jackson Street, Rockwood, Ontario, Canada, N0B 2K0</b>	

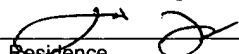
Full name of second inventor, if any <b>Anthony B. Schryvers</b>	Date
Second inventor's signature 	<b>Nov. 1, 2001</b>
Residence <b>Calgary, Alberta, Canada</b>	
Citizenship <b>Canadian</b>	
Post Office Address <b>39 Edforth Road N.W., Calgary, Alberta, Canada, T3A 3V8</b>	



Full name of third inventor, if any <b>Robin E. Harkness</b>	
Third inventor's signature 	Date <b>Oct 4/01</b>
Residence <b>Willowdale, Ontario, Canada</b>	
Citizenship <b>Canadian</b>	
Post Office Address <b>Apt. 1706, 640 Sheppard Avenue East, Willowdale, Ontario, Canada, M2K 1B8</b>	

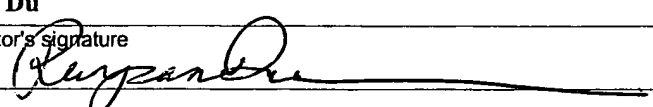
Full name of fourth inventor, if any <b>Sheena M. Loosmore</b>	
Fourth inventor's signature 	Date <b>Dec 5/01</b>
Residence <b>Aurora, Ontario, Canada</b>	
Citizenship <b>Canadian</b>	
Post Office Address <b>70 Crawford Rose Drive, Aurora, Ontario, Canada, L4G 4R4</b>	

Full name of fifth inventor, if any <b>Run-Pan Du</b>	
Fifth inventor's signature	Date
Residence <b>Thornhill, Ontario, Canada</b>	
Citizenship <b>Canadian</b>	
Post Office Address <b>88 Townsgate Drive, Thornhill, Ontario, Canada, L4J 8A4</b>	

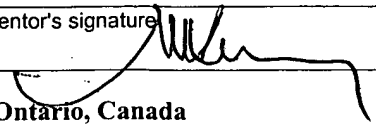
Full name of sixth inventor, if any <b>Yan-Ping Yang</b>	
Sixth inventor's signature 	Date <b>Dec. 6. 2001</b>
Residence <b>Willowdale, Ontario, Canada</b>	
Citizenship <b>Canadian</b>	
Post Office Address <b>Apt. 1803, 35 Empress Avenue, North York, Ontario, Canada, M2N 6T3</b>	

Full name of third inventor, if any <b>Robin E. Harkness</b>	
Third inventor's signature	Date
Residence <b>Willowdale, Ontario, Canada</b>	
Citizenship <b>Canadian</b>	
Post Office Address <b>Apt. 1706, 640 Sheppard Avenue East, Willowdale, Ontario, Canada, M2K 1B8</b>	

Full name of fourth inventor, if any <b>Sheena M. Loosmore</b>	
Fourth inventor's signature	Date
Residence <b>Aurora, Ontario, Canada</b>	
Citizenship <b>Canadian</b>	
Post Office Address <b>70 Crawford Rose Drive, Aurora, Ontario, Canada, L4G 4R4</b>	

Full name of fifth inventor, if any <b>Run-Pan Du</b>	
Fifth inventor's signature 	Date <b>Oct 10/01</b>
Residence <b>Thornhill, Ontario, Canada</b>	
Citizenship <b>Canadian</b>	
Post Office Address <b>88 Townsgate Drive, Thornhill, Ontario, Canada, L4J 8A4</b>	

Full name of sixth inventor, if any <b>Yan-Ping Yang</b>	
Sixth inventor's signature	Date
Residence <b>Willowdale, Ontario, Canada</b>	
Citizenship <b>Canadian</b>	
Post Office Address <b>Apt. 1803, 35 Empress Avenue, North York, Ontario, Canada, M2N 6T3</b>	

Full name of seventh inventor, if any <b>Michel H. Klein</b>	
Seventh inventor's signature 	Date <b>Nov. 13, 2001</b>
Residence <b>Toronto, Ontario, Canada</b>	
Citizenship <b>Canadian</b>	
Post Office Address <b>54 Strathgowen Avenue, Toronto, Ontario, Canada, M4N 1B9</b>	

Full name of eighth inventor, if	
Eighth inventor's signature	Date
Residence	
Citizenship	
Post Office Address	

Full name of ninth inventor, if any	
Ninth inventor's signature	Date
Residence	
Citizenship	
Post Office Address	

Full name of tenth inventor, if any	
Tenth inventor's signature	Date
Residence	
Citizenship	
Post Office Address	